

Executive Director's Report August 6, 2004

Announcements

- The 2004 Primary Election Candidate Statement Pamphlet was mailed in time for the start of early voting, which began August 5th!
- Rebecca Hecksel, Campaign Finance Analyst, has accepted a new position with the City of Phoenix. Her last day with the Commission will be Friday, August 13, 2004.

Candidate Information Update

- A total of 197 candidates will appear on the primary election ballot and 123 of those candidates are certified participating candidates. Also, 67 participating candidates have been approved for funding, 20 candidates are awaiting approval for funding, 1 was denied funding, and 38 candidates have not applied for funding yet. The deadline for applying for funds is August 26th.
- In 2002 at this time before the primary, 72% of candidates had received their clean elections funding. For this election, only 55% of participating candidates have applied for and received their clean elections funding.
- \$1,081,164.51 has been disbursed for initial primary election funding and matching funds.

Voter Education

Off Madison Avenue is working on the development of the TV, Radio, and print ads. More information about the media time purchased and the education plan's progress will be available at the next meeting.

Debate Summary:

As of 8/6/04, the Commission has hosted 21 debates. There is one more on 8/10/04, for a total of 22 in the primary election period. The average audience size has been 35-40 people. We have begun leaving an audience survey at the debates. The results are being compiled by Off Madison Ave. The moderators have been asking both pre-prepared questions as well as screened audience questions. The topics range from the budget to immigration and growth. Most of the candidates who are invited to attend are attending, with just a few exceptions. Overall, Autumn has received very positive feedback from sponsors, candidates and the public. The sponsors seem to feel that the debates are very well done this year and audience attendance has increased, due to advertising done by the Commission and the sponsors. The areas for improvement for the general election include: ensuring the moderator rotates the questions among the candidates and better signage directing people to the debate site.

Primary Election Candidate Statement Pamphlet:

The primary pamphlet has generated a large number of phone calls to the office. The most common questions are: What is my legislative district? Where do I mail my early ballot request

form? For the general election pamphlet, we have moved the answers to those questions closer to the front of the pamphlet, to page 3.

General Election Candidate Statement Pamphlet:

Approximately 163 candidates submitted a statement for inclusion in the primary election Candidate Statement Pamphlet. We received 49 new statements for the general election pamphlet. Out of the 49 people that submitted new statements, 14 had not submitted statements for the primary election pamphlet. So far, up to 177 candidates will have a statement appear in the general election pamphlet. After the primary election, some of the candidate statements will be eliminated from the pamphlet so the total number of statements will change. Also, the names of the 6 write-in candidates for the primary election will be added to the general election pamphlet if they receive enough votes in the primary to appear on the ballot.

Enforcement

The Commission has received 10 complaints that allege violations of the campaign finance laws. The status of those complaints is as follows:

- 1 complaint was dismissed because it was not signed or notarized;
- 4 complaints against nonparticipating candidate alleging violations of the reporting requirements were dismissed because the trigger reports had been filed on time;
- 2 complaints against participating candidates alleging violations of contribution limits were dismissed because there was no violation of the limits;
- 1 complaint against a participating candidate was forwarded to the Secretary of State's Office because it alleged a violation of Article 1 campaign finance laws; and
- 2 complaints are still under review.

Most of the complaints received to date have not led to any enforcement because they are based upon speculation, misunderstanding of the reporting requirements, or based on the information on the Secretary of State's website, which may not post the most recent reports filed.

Legal Matters

The Arizona Supreme Court is considering 2 separate matters regarding the initiative to de-fund Clean Elections. The Commission is not a named party in either of these lawsuits. The Supreme Court is expected to rule by August 12th, the printing deadline for the Publicity Pamphlet.

- In *Keep it Clean v. Flake*, a challenge to Legislative Council's impartial analysis, which will appear in the Publicity Pamphlet, briefs from all parties were due by August 2nd. No oral argument was scheduled.
- In *Clean Elections Institute v. No Taxpayer Money for Politicians*, the No Taxpayer committee appealed Judge Downie's ruling that the initiative violates the single subject rule because the ballot measure seeks to incorporate two separate constitutional amendments. If you would like a paper copy of the pleading, please let me know.

The ballot language, prepared by the Secretary of State and approved by the Attorney General, has not been completed.

Agenda Items for the August 10th Meeting:

- Update on Education Plan
- Update and Review of Budget
- Legal Report: Lawsuit Challenging Matching Funds and Litigation on the Ballot Initiative